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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/393,942	09/10/1999	JOHN BELL	PHA-23-773	3515

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EXAMINER

LEE, CHI HO A

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/393,942

Applicant(s)

BELL, JOHN

Examiner

Andrew Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsakiris et al U.S. Patent Number 5,204,768 in view of Stenman et al U.S. Patent Number 6,223,029 & Specification of the Bluetooth System v1.0 A July 26th 1999.

Re Claims 1, 16, 21, and 25, Tsakiris teaches a remote control 123 controlling plurality of controllable electronic devices wherein the remote control 123 is inherently operating in a short-range wireless communication link by downloading data commands and signaling parameters (See abstract). Tsakiris fails to explicitly teach that the remote control is a mobile station. However, Stenman et al teaches a combined mobile station and a remote control terminal (See col. 7, lines 14-65). One skilled in the art would have been motivated by Stenman to combine the functionality of the remote control into the mobile station for advance functionality. By combining the remote control and mobile station, this would enable the mobile station to remotely control a variety of peripheral devices through the user provided inputs. The combined mobile station and remote control has a display screen and a user input interface. Tsakiris in view of Stenman fails to explicitly teach "an access protocol browser" in accordance with an access protocol.

However, the Specification of the Bluetooth System teaches supporting WAP application in a bluetooth piconet environment (See page 504-508). It is known to one skilled that WAP communication protocols enable the communication of browser requests from the mobile terminal to the network web server. One skilled in the art would have been motivated by Bluetooth specification to modify Tsakiris in view of Stenman to incorporate the standardized WAP browser into the "mobile station and remote control combination" to simplify downloading of data commands and signaling parameters. One skilled in the art would have been motivated by the known Bluetooth standard to modify the wireless environment of Tsakiris to Bluetooth compatible to take advantages of the efficient hardware implementation, low power, small-size and low-cost radio subsystem design enabled by the standard. Furthermore, using a known standard, such as the Bluetooth-WAP implementation, would have been an obvious expedient to maintain protocol compliancy.

In particular, the standard teaches a SDP (Service Discovery Protocol) that provides the means for client application to discover the existence of services provided by the server application (Page 328). In this case, each display, playback devices, and remote control device can be implemented with the WAP client/server applications. In so doing, the WAP client (remote control) would have been enabled to request and download "device" specific data commands and signaling parameters (data representative of a interface associated with...controllable electronic device) to operate the peripheral devices in simplified manner. It is simplified because it is disclosed by the standard in light of Tsakiris. The WAP access protocol inherently downloads data in

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a data format interpretable by the access protocol browser and the browser. Tsakiris further teaches in fig. 2a, once the codes are received at the remote control, it is stored in memory and the keys of the remote control is remapped to correspond to the new codes (See col. 6, lines 49 +). Tsakiris in view of Stenman et al would have modify the remote control to incorporate the display screen so that the control functions can be displayed. Furthermore, Tsakiris in view of Stenman et al in view of the Specification of the Bluetooth System would have enable the displaying a interface menu pages for browser navigation. In light of the known protocol, one skilled in the art would have been motivated to modify the "mobile remote control" to be implemented with a interface menu pages for access protocol browsing for ease of operation.

Therefore, it would have been obvious to one ordinary skilled to incorporate the teaching of Tsakiris in view of Stenman et al and further in view of Bluetooth specification.

Re Claims 2, 17, 22, refer to Claim 1; Bluetooth specification discloses the Service Discovery Protocol (SDP) that provides the means for client application sot discover the existence of services provided by the server applications as well as the attributes of those services (See page 328 & 336) (prior to said requesting, checking whether said controllable electronic device has access protocol capability), clearly, WAP server must recognize the WAP client request before any downloads of control data.

Re Claim 3, refer to Claim 1, wherein the set of SDP servers that are available to an SDP client can change dynamically based on the RF proximity of the servers to the client (Page 329) (controllable electronic device is in range of said mobile station).

Re Claim 4, refer to Claim 3, it is clear that once, the client is in range of the server, downloading of the control information is enabled. One skilled in the art would have recognized due to the mobility of the "mobile remote control" and the range of the PICONET of the Bluetooth operating environment, the RF connection could be lost. In view of Tsakiris once the codes, in WAP format, are received at the remote control, it is stored in memory and the keys of the remote control is remapped to correspond to the new codes (See col. 6, lines 49 +). One skilled in the art would have been motivated to "verify whether the controllable device correspond to the control data downloaded prior to determine whether to reuse the same control data" in order to minimized the number of downloads to the client and available memory space at the "mobile remote control". Clearly, smaller memory size at the mobile remote reduces cost.

Re Claim 5, refer to Claim 1, in view Tsakiris, the control codes (said data) is downloading in format inherently interpretable by the WAP client application. In Bluetooth-WAP implementation (See page 507), all Servers (displays, VCR, etc) in the RF proximity of the client can be requested to download "pages" representing the all control functions (interface menu pages) to the Client display, wherein re-mapping of the keys on the "mobile remote control" is based on the retrieved control information.

Re Claim 6, refer to Claim 5, not all servers are in the RF proximity (a part of all control interface menu pages).

Re Claims 7-9, 18, 23 refer to Claim 1, wherein WAP protocol inherently a markup language reading and interpretation protocol, such as HTML.

Re Claims 10, 19, 24, refer to Claim 1, wherein downloading data commands and signaling parameters is specific for each device (controllable electronic devices). Hence, it is inherent that each server transmit control function (plurality of selectable control parameters) specific to the device, i.e., TV control is different then CD-ROM control.

Re Claim 11, refer to Claim 7.

Re Claims 12, 20, refer to Claim 11, wherein when the device is in range of the mobile remote (state of said controllable electronic device), the browser (markup language program) on the mobile remote can request (transmitting a instruction) a menu page from a server.

Re Claim 13, refer to Claim 12, wherein the browser on the mobile remote control uses URL to navigate requests to the servers, wherein on downloads from the URL address (URL previously received...identifying a start address...controllable device) (See page 507: 4.2.2 Addressing)

Re Claim 14, refer to Claim 1

Re Claim 15, refer to Claim 1, wherein the data can represent the current control state of the controllable electronic device, i.e., resolution of the display for remote adjustment.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent Number 6104334 teaches an information browser for consumer devices;

U.S. Patent Number 6356529 teaches translating WAP;

U.S. Patent Number 6490291 teaches WAP client server communication;

U.S. Patent Number 6587684 teaches downloading software to a mobile using wireless protocol.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 703-305-1500. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AL
2/29/04

ANDY LEE
PATENT EXAMINER